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Attorneys for Respondent

I hereby attest and certify on JUL 21 2008  
that the foregoing document is a full, true  
and correct copy of the original on file in  
my office, and in my legal custody.

CLEAR, U.S. DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

Deputy



0109

IN THE UNITED STATES DISTRICT COURT  
FOR THE CENTRAL DISTRICT OF CALIFORNIA

**DARRYL RANSOM,**

Petitioner,

v.

**BEN CURRY, WARDEN,**

Respondent.

CV 07-04453-PSG (JCR)

**RESPONDENT'S EX PARTE  
APPLICATION FOR A  
SECOND EXTENSION OF  
TIME TO FILE HIS ANSWER  
TO THE PETITION FOR  
WRIT OF HABEAS CORPUS;  
SUPPORTING  
DECLARATION OF KIM  
AARONS**

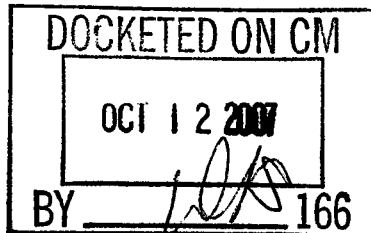
Judge: The Honorable  
John Charles Rayburn, Jr.

TO THE HONORABLE JOHN CHARLES RAYBURN, JR., UNITED  
STATES MAGISTRATE JUDGE, AND PETITIONER DARRYL RANSOM, IN  
PRO PER:

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Respondent Ben Curry, Warden of the Correctional Training Facility at Soledad, California, respectfully applies for a second extension of time, through November 14, 2007, to file and serve the Answer to the Petition for Writ of Habeas Corpus. The Answer is currently due by October 15, 2007. This request is based on good cause as set forth in the attached declaration of Kim Aarons. A proposed order is being filed herewith.

Dated: October 10, 2007

Respectfully submitted,

EDMUND G. BROWN JR.  
Attorney General of the State of California

DANE R. GILLETTE  
Chief Assistant Attorney General

JULIE L. GARLAND  
Senior Assistant Attorney General

HEATHER BUSHMAN  
Deputy Attorney General



KIM AARONS  
Deputy Attorney General  
Attorneys for Respondent

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SD2007700801

**DECLARATION OF KIM AARONS**

I, Kim Aarons, hereby declare and state:

1. I am an attorney at law, duly admitted and licensed to practice law in this Court. I am employed as a Deputy Attorney General for the State of California. In that capacity, I am the attorney representing Respondent in this matter. The following facts are based on my own personal knowledge, except for those facts based on information and belief, which I believe to be true. If called upon as a witness, I could and would competently testify about the following facts.

2. I have received one extension of time in this matter. The Answer is currently due on or before October 15, 2007.

3. I do not reasonably anticipate that I will be able to complete and file the Answer by the current due date because I have pleadings to complete in four state and federal habeas matters before I will be able to turn my attention to the present case. Specifically, I just began researching the relevant issues and drafting a motion to dismiss a federal habeas corpus petition in the matter of *Osby v. Salazar*, CV-07-4439-ODW (PLA), due on October 21, 2007, on a second extension of time. Once I complete the motion in *Osby*, I will complete responsive pleadings in the following state and federal habeas corpus matters: *Nestle v. Davison*, CV-07-4331-CAS (OP), response due on October 23, 2007, on a second extension of time; *In re Margo Johnson*, Cal. Ct. App. Case No. B196040, informal response due on October 26, 2007, on a second extension of time; and *Cowell v. Salazar*, Ninth Circuit Case No. 07-55923, answering brief due on November 9, 2007, on a second extension of time.

4. I have also filed pleadings in the following matters since the Court granted my first request for an extension of time: *Borbon v. Davison*, CV-07-04046-ABC (VBK); *In re Marco Marroquin*, Cal. Sup. Ct. Case No. S155588; *Eastman v. Marshall*, Ninth Circuit Case No. 07-56099; *Worline v. Salazar*, CV-07-03845-CJC (AJW); and *In re James Masoner*, Los Angeles County Super. Ct.

1 Case No. BH004852.

2 5. Accordingly, I am respectfully requesting an extension of time,  
3 through November 14, 2007, to file and serve the Answer to the Petition. I do not  
4 anticipate requesting any further extensions of time.

5 6. This request is made in good faith and is based on good cause as set  
6 forth above. The request is not made to harass Petitioner, to delay the outcome of  
7 this matter, or for any other improper purpose.

8 7. I do not believe that Petitioner will be prejudiced by a delay in the  
9 consideration of his claims. Allowing Respondent the brief amount of time  
10 required to prepare a proper response will serve the interests of justice without  
11 materially prejudicing or unduly benefitting either side.

12 8. Because Petitioner is in pro se and is presently incarcerated, I have  
13 not contacted him to ascertain whether he has any objection to this request.  
14 Petitioner will receive notice of this ex parte application by mail at the address he  
15 provided the Clerk of this Court.

16 I declare under penalty of perjury and the laws of the United States that the  
17 foregoing is true and correct. Executed this 10th day of October, 2007 at San  
18 Diego, California.

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20 KIM AARONS  
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**DECLARATION OF SERVICE BY U.S. MAIL**

Case Name: **Ransom v. Curry**

Case No.: **07-CV-04453-PSG (JCR)**

I declare:

I am employed in the Office of the Attorney General, which is the office of a member of the California State Bar, at which member's direction this service is made. I am 18 years of age or older and not a party to this matter; my business address is 110 West A Street, Suite 1100, P.O. Box 85266, San Diego, CA 92186-5266.

On October 11, 2007, I served the attached:

**RESPONDENT'S EX PARTE APPLICATION FOR A SECOND  
EXTENSION OF TIME TO FILE HIS ANSWER TO THE PETITION  
FOR WRIT OF HABEAS CORPUS; SUPPORTING DECLARATION  
OF KIM AARONS**

by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid, in the United States Mail at San Diego, California, addressed as follows:

**Darryl Ransom, CDC #E40704  
Correctional Training Facility  
P.O. Box 686  
Soledad, CA 93960-0686**

***In Pro Per***

I declare under penalty of perjury under the laws of the State of California the foregoing is true and correct and that this declaration was executed on October 11, 2007, at San Diego, California.

F. Terrones

Declarant



Signature

70103895.wpd